

# SOUTHERN TELEGRAPH.

"He that will not reason, is a bigot; he that cannot, is a fool; and he that dare not, is a slave."

Volume 3.

RODNEY, (MISS.) TUESDAY MORNING, JANUARY 31, 1837.

No. 51.—Whole No. 155.

## THE SOUTHERN TELEGRAPH

IS EDITED AND PUBLISHED EVERY TUESDAY BY  
THOMAS H. PALMER.  
At FIVE DOLLARS per year, in advance, or  
SIX at the expiration of the year.  
No paper discontinued until all arrears  
are paid, unless at the option of the editor.  
No Subscriptions received for a shorter  
period than one year.

Terms of Advertising.  
Per square of ten lines or less, for the first  
insertion, One Dollar; for each additional inser-  
tion, Fifty Cents.  
Longer ones, ten cents per line for the first,  
and five cents per line for each additional inser-  
tion.  
To those who advertise by the year, a  
liberal discount will be made.

## PORTNY.



## NEW ZEALAND MISSIONARIES.

By MRS. SIGOURNEY.

"We cannot let him go. He says he is  
going to return to England—the ship is here  
to take him away. But no—we will keep  
him our slave; not our slave to fetch wood  
and draw water, but our talking slave.  
Yes, he shall be our slave to talk to and  
to teach us. Keep him we will."—[Speech  
of Rev. Mr. Yates at the Anniversary of  
Church Missionary Society, London, May  
1835.]

'Twas night, and in his tent he lay,  
Upon a heathen shore,  
While wildly on his wakeful ear,  
The ocean's billows roar.  
'Twas midnight, and the war-clad rang,  
Upon his threshold stone,  
And heavy feet of savage men  
Came fiercely trampling on.

Loud are their tones in fierce debate,  
The chieftain and his clan,  
'He shall not go—he shall not go—  
That missionary man!  
For him the swelling surf doth break,  
The ship ship rife the wave,  
But we will chain him to our coast,  
Yes, he shall be our slave:

Not from the groves our good to bear,  
Nor water from the vale,  
Nor in the battle front to stand,  
Where the prouddest foe men quail,  
Nor the great war canoe to guide,  
Where the crystal stream turn red;  
But he shall be our slave to break  
The soul's living bread."

Then slowly peered the rising moon,  
Above the forest height,  
And bathed each ocean's lofty crown  
In the light of living light:  
To every cabin's glassy chalice  
A gift of beauty gave,  
And with a cross of silver cheered  
Pacified sullen wave.

But o'er that gentle scene, a shout  
In sudden clamor came,  
'Come forth, come forth, thou man of God,  
And answer to our claim!  
So down to those dark island men,  
He bowed him as he spoke,  
'Behold, your servant will I be  
For Christ my master's sake."

From the Natchez Christian Herald.

## SUNSET.—A SONNET.

The feathery clouds of Summer's eve,  
Are cradled on the blue;  
Rays and beautiful they weave  
Night robes of rainbow hue.

They lose young angels from their zones,  
And hush the day to rest,  
With plaintive, low aerial tones,  
That tremble in the West.

How beautiful! if they would stay  
To watch the cradle bed  
Where rests the giant king of day  
His faint and weary head!

But faintly, like a dream, they flee,  
And write no name upon the sky.

## MISCELLANEOUS.

From the New York Evening Star.

## WEALTH.

"Why am I not a rich man?" said a very  
intelligent person to us, while looking at  
a splendid equipage which rattled down  
Broadway. It was the equipage of a man  
of wealth—a man of yesterday, a *peregrine*  
in the more fashionable phrase, who made  
a fortune suddenly by buying farms and  
selling them out in lots, and who was de-  
termined by the splendor of his house, the  
magnificence of his entertainments, the  
richness and variety of his loud talk and  
consequential air, to show that he did not  
belong to the quiet families of some hun-  
dred years of distinction and worth, who  
never offend by ostentation, or exhibit a  
heraldry to which they are not entitled.  
We gazed at several of similar growth—the  
riches which sprang up over night like Jon-  
ah's Gourd—some by speculation, others  
by succession, some by fortunate marriage,  
and some more creditably by mechanical  
labor and ingenuity. "Why am I not a  
rich man?" said my friend. "I must  
purchase land somewhere in the West, or  
the moon, no matter where; I must plunge  
in the current of speculation, and swim on  
to fortune and eminence. I must be rich—  
every body tries to be rich: why shall  
I not be rich? I am liberal in my disposi-  
tion, hospitable and free. I'd like to have  
such a coach and pair-a-horse of correspond-  
ing magnificence. I should like to throw it  
open several times yearly, for the gay and  
fashionable throng—I should like you to  
dine twice a week with me, and punish a  
few bottles of old, very old Madeira. Why  
am I not rich? I deserve to be rich; I must  
be rich," said he, musing, and at inter-  
vals dropping his voice, as he slowly  
withdrew his eyes from the long cavalcade  
of coaches and phaetons and whiskered  
footmen.

## ADDRESS

TO THE  
People of the State of Mississippi,  
BY THE UNDERSIGNED,  
Senators and Representatives in the Le-  
gisature.

We hold it to be the duty of all officers  
of the Government, which you have formed,  
whether Legislative, Executive or Judicial,  
to conform in all their acts of power to the  
sovereign will of the whole people of the  
State. That will is expressed in the  
constitution and laws of the State.

We believe that no person or set of per-  
sons, can hold any office, or exercise any of  
the powers of the Government, who cannot  
traverse the authority so to do, to your sove-  
reign will, through the public councils, the  
law, and the Constitution of the State.

We hold that the members of the Legis-  
lature—who derive their authority to make  
laws from the Constitution and laws of the  
State—cannot delegate any part or portion  
of the legislative powers entrusted to them,  
to be exercised by any person or persons  
who are not members of the Legislature, or  
authorized to participate in their exercise,  
by the Constitution and laws of the State.

To ensure fidelity, all officers, before en-  
tering upon the duties of their office, are re-  
quired to take an oath to support the Con-  
stitution.

We, as Senators and Representatives, have  
taken that oath.

At the present adjourned day of a session  
of your Legislature, a solemn and important  
question has arisen, involving our oaths of  
fidelity to your sovereign will, as it is ex-  
pressed in your Constitution; involving the  
constitutionality and validity of all laws  
which might be passed by the Legislature  
at its present adjourned session; and, as a  
consequence, involving the stability of our  
government, the authority of its laws, and  
the peace, prosperity and credit of the State,  
internally as well as externally.

This question has arisen upon an act of  
the House of Representatives, since its pre-  
sent adjourned meeting, in admitting ten  
persons, from counties created at the pre-  
sent session of the Legislature, to take their  
seats, and to participate in all acts of legisla-  
tion, on an equality with the members of  
that body.

We believe these ten persons, so ad-  
mitted as members of the House of Represen-  
tatives, have no right to participate in the  
exercise of the power of legislation, under  
the Constitution and laws of the State, which  
we are sworn to support.

We believe the House of Representatives  
has no legislative or judicial power given to  
it, to confer this right against Constitution  
and law; and that it possesses no such un-  
limited power.

We assert, first, that the ten persons ad-  
mitted as members of the House of Represen-  
tatives, from the counties created at the pre-  
sent session of the Legislature, have no right  
to be members, founded in the laws and  
Constitution of the State; and that the  
House of Representatives has no authority  
to make them members.

This will appear plain, by a reference to  
the 3d clause of the 3d article of the Con-  
stitution, and the appointment law of De-  
cember, 1833.

By this clause the Constitution has di-  
rected the Legislature to cause an enumera-  
tion to be made of all the free white inhabi-  
tants in the State, not oftener than once  
in four years, nor less than once in six  
years; and to fix the whole number of Rep-  
resentatives not to exceed 100, nor less than  
33, not oftener than once in four years;  
and to apportion this whole number among  
all the counties, cities and towns entitled to  
representation, according to the number of  
their respective free white inhabitants, with  
a proviso, that each county shall al-  
ways be entitled to at least one Representa-  
tive.

Here the power is given to the Legisla-  
ture to fix and apportion the whole number  
of Representatives not oftener than once  
in four years, with direction that their  
whole number shall never exceed 100, and  
that each county shall always, in fixing and  
apportioning this number, be entitled to at  
least one representative.

The Legislature in December, 1833, fixed  
the whole number of representatives at 64,  
for the ensuing four years, and apportioned  
them to all the counties then existing  
in the State, according to the number of  
their free white population, giving, ac-  
cording to the proviso, to each county, at  
least one representative.

This law has never been altered or re-  
pealed. According to the number fixed and  
apportioned by this law, the House of Rep-  
resentatives was on the 1st day of the pre-  
sent session of the Legislature, organized  
and composed of 64 members.

The Legislature since the commence-  
ment of the present session, has created 12  
new counties.

From ten of these new counties, ten per-  
sons have been admitted by the House  
of Representatives as members of that  
body, and are incorporated into it as a  
portion of the Legislature; by which act,  
the House from its records appears to be or-  
ganized and composed of 74 instead of 64  
members, and ten of these members are  
from counties not in existence at the time  
the apportionment law was passed.

The creation of the new counties cannot  
operate to alter the law fixing and apportion-  
ing the whole number of representatives—  
because the Constitution is express, that  
the whole number shall be fixed and apportioned  
not oftener than once in four years.

Could a case be made out more clear,  
than that these ten persons have no right  
by the Constitution and laws of the State,  
to pass laws, or to participate in the passage  
of laws, to govern the people of the State of  
Mississippi?

A body of 74 members does not consti-  
tute the House of Representatives, to whom  
the Constitution and laws of the State have  
entrusted the powers of legislation. As a  
necessary consequence, all acts passed by  
such a body, being without authority from  
the people, as ascertained by their constitu-  
tion, must be null and void.

We could not consistently with our oaths  
to support the constitution, consent to this  
usurpation of legislative power.

Nor have we been able to find any power  
or authority contained in the Constitution,  
legislative or judicial, by which the House  
of Representatives could create ten new  
members, who had no title to be members  
by the constitution and laws.

2d. Even if the ten new counties had a  
right to send ten new members to the same  
session of the Legislature which created the  
other, and thereby to alter the whole num-  
ber of representatives fixed and apportioned  
by law for four years, yet these ten per-  
sons were not elected in conformity to the  
laws and constitution of the State. The  
Constitution requires that writs of election,  
to fill all vacancies in either branch of the  
Legislature, shall be issued by the Govern-  
or.

The ten persons, admitted as members,  
were elected under writs of election issued  
by the Boards of County Police. No such  
power is given to the County Police.

3d. The mode by which these ten per-  
sons have been admitted as members, has  
violated every principle of natural justice,  
of the rules of the House, and of Parlia-  
mentary usage. They were admitted to be  
judges of their own right to the highest  
offices of power, honor and profit in the  
State—by their own votes, to make them-  
selves members of the House of Represen-  
tatives. For evidence of this, we refer you  
to the Journals of the House of Represen-  
tatives, and to the Protest of the minority  
entered upon the Journals.

We have thus presented a full and im-  
partial outline of the principal facts, which  
relate to the admission of the ten persons  
from the newly created counties, as mem-  
bers of the House of Representatives.

We think we have shown, that since their  
admission the House of Representatives, as  
now organized in the number and apportion-  
ment of its members, does not, in con-  
junction with the Senate, constitute the Le-  
gislation, to which, in your constitution,  
you have trusted the legislative powers of  
the government. Can any body of men ex-  
ercise these powers, this high trust, without  
the authority of your sovereign will, as it is  
expressed in the constitution? If not, any  
acts, passed by the body as at present or-  
ganized, not having the sanction of the  
sovereign will of the whole people, must be  
null and void. Every department of gov-  
ernment is bound, not only by the constitu-  
tion, but by the superadded obliga-  
tions of an oath, to treat their acts as null  
and void.

We need not paint the evils, the disor-  
ders, the confusion, which must result from  
such a departure from your constitution; or  
the injury to the public credit; the depreda-  
tion of property; and the losses in trade,  
in stocks of banking, rail-road and other  
corporations, which would be sustained in  
all parts of the State, by the passage of an  
entire code of unconstitutional and void  
laws.

It will suffice to particularize a single  
law. Four years have expired since the  
last apportionment law. A new apportion-  
ment may now be passed, admitting the  
newly created counties to entire representa-  
tion, not only in the House, but also in the  
Senate, according to the number of their  
free white inhabitants. By the next Janu-  
ary session, they could be admitted, con-  
formably to the constitution and laws, to a  
full representation. But if this law should  
be passed by an unconstitutional Legisla-  
ture, it would carry the defects now exist-  
ing into a future Legislature, unless the  
people, and all the departments of the gov-  
ernment, should yield to a violation of the  
constitution, and to a silent revolution, from  
a principle of necessity. Such necessities  
ought not to be created by the Legislature  
itself; especially at the expense of compell-  
ing all the other officers of the government  
to compromise with their oaths, to support  
the constitution; and more especially, for  
the bare purpose of letting in only ten rep-  
resentatives from the new counties, immedi-  
ately upon their creation, contrary to the  
constitution and laws, when, in one year,  
they could send in a full representation with-  
out any violation of the constitution.

We do not believe the inhabitants of the  
new counties would themselves desire, a  
speedier admission to the hazard of violat-  
ing the constitution, and plunging the whole  
State into a tempestuous sea of anarchy and  
disorder.

You will naturally ask, what remedy is  
proposed? Three remedies suggest them-  
selves. The one is, to compel the Legisla-  
ture back to its only legitimate support, the  
constitution. A second remedy is, to meet  
in Convention, and bring the constitution to  
fit the laws. The third is, a peaceful, si-  
lent, or an open and violent revolution of  
the constitution, laws and government of the  
people.

The first remedy is the most natural and  
easy. By instructing the members from the  
new counties to withdraw, and permit the  
Legislature, to pass an apportionment  
law, letting in a full representation to the  
House of Representatives and the Senate,  
at the next January session of the Legisla-  
ture, in strict conformity to the constitution.  
We doubt not, the inhabitants of the new  
counties, both for their own immediate in-  
terests, and from their attachment to the  
constitution, laws, and happiness of the  
whole State, will be forward to adopt this  
remedy. Rather than throw a doubt over

the constitution and laws of the State, the  
patriotism of that rapidly growing por-  
tion of the State, would induce them to delay  
for one short year, even what they believed  
to be a well founded claim of right.

Of the second remedy—that of entering  
into convention and framing a new constitu-  
tion, because the government and laws are  
staying away from the old constitution—we  
will express no opinion. The people are the  
best judges how far they are satisfac-  
ted with the constitution as it is.

Of the third remedy—by a peaceful or  
silent revolution, or a violent one—it has  
been suggested, that the people have it in  
their power at the polls, to make the judges  
of the constitutionality of the Legisla-  
ture and its laws, and so of all other  
officers of the government, the test of their  
qualifications and eligibility to office. This  
is true, and any violation of the constitu-  
tion by any department of the government,  
may be acquiesced in by the people, and  
sustained in all the departments of the gov-  
ernment, if the people will elect agents to  
fill offices, who will construe the constitu-  
tion and laws of the country, according to  
instructions, or pledges at the polls, rather  
than according to their oaths.

It is also true, there are men who believe  
the constitution is not violated, and who  
may honestly pledge themselves so to de-  
cide, should they be entrusted with office.

But it must be admitted, that this silent  
and peaceful mode of revolution, if often  
repeated, will be more dangerous to the li-  
beries of a free people, than open and violent  
revolution. The secret underminings of  
servility, corruption and ignorance, will  
bury in ruins the whole fabric of power in the  
people, when open assaults would hardly  
stain its most feeble outposts.

[Senators.]

Geo. Winchester, A. T. Moore,  
Thomas P. Falconer, James McRaven,  
John Cameron, Hanson Alsbury.

[Representatives.]

Alfred Cox, Thos. J. Green,  
Jas. A. Ventress, Fleet Magee,  
S. S. Prentiss, George H. Gordon,  
P. K. Montgomery, E. A. Denham,  
John Murray, E. A. Durr,  
Ro. L. Adams, A. Whiting,  
George Leighton, Robert C. Campbell,  
E. S. Ragan, Thomas Watts,  
A. G. Moore, A. Wilson,  
And'w W. Ramsay, Wm. Vannerson.

## PROTEST.

In the House of Representatives, January  
18, 1837.

Mr. Prentiss, in behalf of himself and  
others, obtained leave of the House that the  
following Protest be spread upon the Jour-  
nals of this House, to wit:

The undersigned, members of the House  
of Representatives of the Legislature of the  
State of Mississippi, believing the said body  
has, in certain action which has occurred  
therein at the present adjourned session  
of 1837, violated the Constitution of the  
State, the laws of the land, and the rules  
which govern legislative proceedings, by

admitting as a component part of the body,  
ten persons whom they do not believe, un-  
der the constitution of the State, the law of  
the land, and the rules of legislative pro-  
ceedings, have any right to participate in  
the deliberations of the body, ask leave to  
Protest against any such action, as the only  
mode left by which to express their  
opinions upon such action.

The undersigned set forth the following  
statement as the ground of their proceed-  
ing:

1st. They believe that by the constitu-  
tion of the State, the power and jurisdiction  
of fixing the number of each branch of the  
Legislature, and of apportioning such num-  
ber among the counties, cities, and towns,  
is given expressly to the whole Legislature,  
and not to either branch thereof.

2d. That the number of representatives  
which should compose this branch of the  
Legislature at the present session, was fixed  
by the Legislature of 1833, and apportioned  
among the counties then in exis-  
tence.

3d. The Constitution requires that, in  
case of vacancy, a writ of election should  
be issued by the Governor.

Now the undersigned set forth the follow-  
ing facts:—1st. That the Legislature of  
1833, did fix the number of this House at  
sixty-four, and did apportion that number  
among the counties of this State. 2d. This  
body has admitted ten additional persons as  
members thereof; thereby increasing its  
number to seventy-four, without any new  
apportionment by the Legislature. 3d. Said  
ten persons were not elected at any  
general election, nor by virtue of writs of  
election issued by the Governor, but by vir-  
tue of writs of election issued by the Boards  
of County Police. Upon a report of the  
minority of the Committee of Elections,  
denying said ten persons to be constitutionally  
elected members of this body, a motion  
was made to disagree to said report, which  
motion was divided, and nine of said persons  
were permitted to vote upon every portion  
of said report. 5th. Before said last men-  
tioned vote was made the question was raised  
whether said ten persons had a right to  
vote on said question. Mr. Speaker decid-  
ed they had; an appeal was taken, and said  
ten persons were permitted to vote on the  
question whether they were entitled to  
vote; which question was decided against  
them.

Upon this view of the Constitution, and  
this state of facts, the undersigned do most  
solemnly protest against the admission of  
these ten persons into this House, as an  
addition to this body, unknown and unau-  
thorized by either the constitution or laws of  
the State.

They further protest against the mode in  
which they were admitted; and more particu-  
larly the power of voting, acquired by

their own votes, which is conceived to be  
a total and outrageous violation of common  
sense and common justice, both of which  
say that a man shall not be a judge in his  
own case. The undersigned further pro-  
test against the action of the Speaker, in the  
whole of this matter, which seemed to them  
a continued infraction of constitution-  
al, legal and legislative rules.

In conclusion, the undersigned feel bound  
to say, that they conscientiously believe,  
the action of this House, in relation to the  
matter above set forth, has been unprece-  
dented and unconstitutional, and that it has  
the effect totally to disorganize this body,  
and destroy it as a branch of the legislative  
department of government.

S. S. Prentiss, P. K. Montgomery,  
J. Alex. Ventress, Joshua Murray,  
Thos. J. Green, E. S. Ragan,  
Alfred Cox, And'w W. Ramsay,  
Rob. L. Adams, Rob. C. Campbell,  
Geo. H. Gordon, George Leighton,  
A. G. Moore, Thomas Watts,  
Fleet Magee, A. McCullik,  
Amos Whiting, J. Monet,  
Emanuel A. Durr, A. Wilson,  
A. E. Denham, Amos R. Johnston.

TALLEYRAND.—This eminent politician  
has for many years filled a large space in  
the public eye. He may be described as  
the prince of politicians and statesmen, and  
has occupied place and station under almost  
every dynasty in France for the last half  
century. No matter what party prevailed,  
Talleyrand was sure to be found among  
the successful. Thrones have tottered,  
kings been hurried into exile, and prime  
ministers impeded; but nothing seemed  
to disturb the equanimity of Talleyrand.

The autobiographical history of such a man  
—one whose life may be said to comprise a  
history of empires—could not but possess  
interest, and we are glad to learn from a  
late London paper that such a work is in  
preparation. The following particulars in  
relation to this extraordinary man, we glean  
from a foreign journal received by a late  
arrival. They have never before appeared  
in any American newspaper. "Talley-  
rand was born lame, and his limbs are limped  
to his trunk by an iron apparatus, on  
which he strikes over and under a gigantic  
cane, to the great dismay of those who see  
him for the first time—he was not dimini-  
shed by the look of his gray piercing eye  
peering through his shaggy eyebrows; his  
unearthly face marked with deep stains;  
covered partly by his shock of extraordi-  
nary hair, and partly by his enormous cravat,  
which supports a large protruding lip,  
drawn over his upper lip with a cynical ex-  
pression, which no painting could represent.

Add to this apparatus of terror, his dead si-  
lence, broken occasionally by the most sepulchral  
and guttural monosyllables.  
Talleyrand's pulse, which rolls a stream  
of enormous volume, intermits and pauses  
at every beat. This he constantly points  
out triumphantly as a test of nature, giving  
him at once a superiority over other men.  
Thus, he says, all the intermitting pulsa-  
tions are added to the sum total of those of  
his life, and his longevity and strength ap-  
pear to support this extraordinary theory. He  
likewise asserts, that it is this "Nature,"  
which enables him to do without sleep. "Nature,"  
says he, "sleeps and recruits herself at every  
intermission of my pulse." And, in-  
deed, you see him time after time rise at  
three o'clock in the morning from the whist  
table; then will he return home and often  
wake up one of his secretaries to keep him  
company, or to talk of business. At four he  
will go to bed, sitting nearly bolt upright in  
his bed, with an innumerable night caps on  
his head, to keep it warm, as he says, and feed  
his intellect with blood—but, in fact, it is to  
prevent his injuring the seat of knowl-  
edge if he timble on the ground, and he  
sits upright from his tendency to nap—  
which would no doubt serve him if he  
were perfectly recumbent. We may re-  
member the newspapers stating, that he  
was found a few years ago, his head having  
dropped from his pillow, so drowned in  
blood that no feature was to be seen. Al-  
though he goes to bed so late, at 8 or 7 at  
most, he wakes and sends for his attendants.  
He constantly refers to the period when he  
was Minister of Foreign Affairs, and when  
this power to live without sleep enabled  
him to go out and seek information as well  
as pleasure in society, till twelve or one  
o'clock. At that hour he returned to the  
office, read over all the letters that had ar-  
rived in the day, put marginal indications  
of the answers to be returned, and then on  
waking at six, read over all the letters writ-  
ten in consequence of his orders.

When Talleyrand was engaged in the  
Prosecols here, he used to fire out his younger  
colleagues; and full well we know now  
by experience, that, at the time of the quad-  
rangle treaty, and on many other occasions,  
his eyes were wide open while Lord Pal-  
merston slept. To these physical pecu-  
liarities, we could add that he eats but one  
meal a day. After serving his guests, which  
he always insists on doing, he gulps down,  
dish after dish, a volume altogether that  
would satisfy a boar constrictor.—*Bicknell's  
Reporter.*

Bo very slow to believe that you are  
wiser than all others; it is a full but com-  
mon error. Where one has been saved by a  
true estimation of another's weakness,  
thousands have been destroyed by a false  
appreciation of their own strength. Napo-  
leon could calculate the former well, but to his  
miscalculations of the latter may be ascribed  
his downfall.

The editor of the Northampton Courier  
entreats the ladies not to encourage the  
present fashion of tight dresses—he shud-  
ders at the thought of ladies in "small  
clothes!"